

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	§	
Chase, et al.	§	
	§	Group Art Unit: 2616
Serial No.: 09/551,399	§	
	§	
Confirmation No.: 1414	§	
	§	Examiner: Shick C Hom
Filed: April 17, 2000	§	
	§	
For: FRAME RELAY	§	
SWITCHED DATA	§	
SERVICE	§	

**MAIL STOP ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY DATED JUNE 2, 2008**

In response to the Notice of Drawing Inconsistency dated June 2, 2008, having a shortened statutory period for response set to expire on July 2, 2008, please enter this response. Although the Applicants believe that no additional fees are due in connection with this response, the Commissioner is authorized to charge counsel's Deposit Account No. 20-0782/ATT/112518CON, for any fees, including extension of time fees or excess claims fees required to make this response timely and acceptable to the Office.

**REMARKS**

In the Notice of Drawing Inconsistency dated June 2, 2008, it was noted that Figures 15 and 16 are listed in the Brief Description of the Drawings in the specification, but not contained in the Drawings.

Responsive to the Notice, Applicants assert that a Supplemental Amendment filed on February 7, 2001 included amendments to the Specification and the addition of Figures 15 and 16. The February 7, 2001 amendment was acknowledged by the USPTO (see USPTO stamp dated February 7, 2001). Furthermore, the added Figures 15 and 16 were affirmatively approved by the Examiner in the Office Action dated April 25, 2001 (Paper number 9). As such, Applicants respectfully submit that Figures 15 and 16 were previously received and approved by the USPTO.

Nevertheless, Applicants have enclosed with this Response, the February 7, 2001 amendment and the previously submitted Figures 15 and 16.

If there are any unresolved issues pertaining to this drawing issue, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,



July 2, 2008

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595 Shrewsbury Avenue  
Shrewsbury, New Jersey 07702

Kin-Wah Tong, Attorney  
Reg. No. 39,400  
(732) 530-9404

RECEIVED

FEB 07 2001  
HAND CARRY  
Technology Center 2600  
6<sup>th</sup> Floor Receptionist

RECEIVED

FEB 07 2001  
Technology Center 2600  
PATENT APPLICATION  
Atty Docket: 03493.86913

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Chase et al.

Appl. Ser. No. 09/551,399

Group Art Unit: 2732

Filed: 04/17/2000

Examiner: Hom, S.

For (Appl. Title): FRAME RELAY SWITCHED DATA SERVICE

SUPPLEMENTAL AMENDMENT

Commissioner of Patents  
Washington, D.C. 20231

In response to the Examiner Interview conducted February 5, 2001, please amend the above-identified application as follows:

IN THE DRAWINGS

Please add the drawing sheet attached as Exhibit A.

IN THE SPECIFICATION

Please amend the specification as follows:

At page 10, insert the following paragraphs after line 17:

--Fig. 15 shows separate routing tables for two customers.

Fig. 16 shows a partitioned routing table for the same two customers as in Fig. 16.--;

**HAND CARRY**

Crystal Park II  
6<sup>th</sup> Floor Receptionist

**PATENT APPLICATION**

Atty Docket: 03493.86913

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

**Chase et al.**

Appl. Ser. No. 09/551,399

Group Art Unit: 2732

Filed: 04/17/2000

Examiner: Hom, S.

For (Appl. Title): **FRAME RELAY SWITCHED DATA SERVICE**

**SUPPLEMENTAL AMENDMENT**

Commissioner of Patents  
Washington, D.C. 20231

In response to the Examiner Interview conducted February 5, 2001, please amend the above-identified application as follows:

**IN THE DRAWINGS**

Please add the drawing sheet attached as Exhibit A.

**IN THE SPECIFICATION**

Please amend the specification as follows:

At page 10, insert the following paragraphs after line 17:

--Fig. 15 shows separate routing tables for two customers.

Fig. 16 shows a partitioned routing table for the same two customers as in Fig. 16.--;

At page 18, line 17, replace "Thus" with: --As shown in Fig. 15--;

At page 19, line 9, insert after "tables": --, as shown in Fig. 16--.

**IN THE CLAIMS**

Please amend the following claims:

2. (Twice amended) A method comprising the steps of:

receiving into a fast packet network frame relay data packets, said frame relay data packets having user data in a user data field, wherein said user data comprises service category data;

switching said frame relay packets within the fast packet network responsive to the user data;

and

discriminating between a plurality of service categories based on the user data.

50. (Amended) A method comprising the steps of:

receiving a plurality of frame relay frames at an asynchronous transfer mode switch in a network; and

transmitting at least a portion of the frames over at least one of a plurality of virtual networks, each of said virtual networks representing different service classes, each of said service classes being associated with a data link connection identifier.

51. (Twice amended) A method comprising the steps of:

receiving a plurality of frame relay frames at an asynchronous transfer mode switch in a network; and

transmitting at least a portion of the frames over one of a plurality of virtual networks responsive to Internet protocol IP information contained in at least one of the frame relay frames.

Please add the following claims:

52. (New) The network of claim 31, wherein a first data link connection identifier from a first frame relay data packet is translated into a first asynchronous transfer mode address, and a second data link connection identifier from a second frame relay data packet is translated into a second asynchronous transfer mode address.

53. (New) The asynchronous transfer mode switch of claim 38, wherein the user data field is a data link connection identifier.

54. (New) A method of routing a data packet, comprising the steps of:

receiving a data packet in a network, said data packet having header information and user data information, wherein said user data information comprises IP packet data;

selecting a service category responsive to said header information;

transmitting the data packet responsive to the selected service category;

switching said data packet within the network responsive to the user data information, wherein the step of switching includes discriminating between service categories responsive to the user data information.

55. (New) The method of claim 54, wherein the data packet is a frame relay data packet.

**REMARKS**

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-0733.

At the Examiner's request, Applicant has attached a new drawing sheet 11 of 11, which includes new drawings Figs. 15 and 16, showing separate and partitioned routing tables, respectively. Support in the specification may be found at least at page 17, lines 9-10, and page 18, line 15 through page 19, line 12. In conjunction with the new figures, Applicant has amended the specification in the description of the drawings and at page 18, line 17 and page 19, line 9 to include references to the new figures. Applicant thanks the Examiner for indicating in the Examiner interview conducted February 5, 2001 that the drawings would not be considered new matter based on the numerous references throughout the specification. Applicant will submit new formal drawing sheets 1-10 under separate cover to correct the drawing sheet number markings.

Applicant has amended claims 2, 50 and 51. Claim 2 has been amended to correct claim

structure informalities.

Claims 50 and 51 have been amended to more clearly and completely claim that which Applicants consider their invention.

Applicants have also added new claims 52 – 55 to more clearly and completely claim that which they consider their invention. Claim 52 depends from independent base claim 31, and further recites that a first data link connection identifier from a first frame relay data packet is translated into a first asynchronous transfer mode address, and a second data link connection identifier from a second frame relay data packet is translated into a second asynchronous transfer mode address. Claim 53 depends from independent base claim 38, and further recites that the user data field is a data link connection identifier. Support for new claims 52 and 53 may be found at least at page 17, lines 16-21.

New independent claim 54 is directed to an embodiment comprising a method of routing a data packet. The method comprises receiving a data packet into a network, wherein the data packet has a header portion and a user data portion, and the user data portion comprises an IP packet. A service category is selected based on the data packet header information, and the data packet is then transmitted based on the selected service category. The data packet is further switched within the network based on the IP packet information contained in the user data. The switching step comprises discriminating between service categories based on the contents of the IP packet information. New claim 55 depends back to new claim 54 and further recites that the data packet is a frame relay data packet. Support for new claims 54 and 55 may be found at least at page 13, lines 1-15.

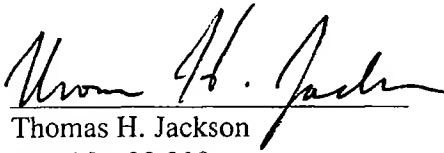


AMENDMENT UNDER 37 CFR § 1.111  
U.S. APPLN. NO. 09/551,399

PATENT APPLICATION

If for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 508-9119.

Respectfully submitted,



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Reg. No. 29,808

BANNER & WITCOFF, LTD.  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
(202) 508-9100  
Dated: Feb 7, 2001

Appendix

A marked-up copy of the amended claims is herein provided:

2. (Twice amended) A method comprising the steps of:

receiving into a fast packet network frame relay data packets, said frame relay data packets having user data in a user data field, wherein said user data comprises service category data; and

switching said frame relay packets within the fast packet network responsive to the user data;

and

~~wherein said user data comprises service category data, said method further including the step of~~  
discriminating between a plurality of service categories based on the user data.

50. (amended) A method comprising the steps of:

receiving a plurality of frame relay frames at an asynchronous transfer mode switch in a ~~mesh~~ network; and

transmitting at least a portion of the frames over at least one of a plurality of virtual networks, each of said virtual networks representing different service classes, each of said service classes being associated with a data link connection identifier.

51. (twice amended) A method comprising the steps of:

receiving a plurality of frame relay frames at an asynchronous transfer mode switch in a ~~mesh~~ network; and

transmitting at least a portion of the frames over one of a plurality of virtual networks responsive to Internet protocol IP information contained in at least one of the frame relay frames.

AMENDMENT UNDER 37 CFR § 1.111  
U.S. APPLN. NO. 09/551,399

PATENT APPLICATION

Exhibit A

## Customer A45

IP Address	Output Port
10.13.0.0	S0 (serial port 0)
128.13.54.0	S1
128.80.65.0	S2
128.13.54.128	E0 (Ethernet)

## Customer B230

IP Address	Output Port
10.13.0.0	S4
122.56.0.0	S2
122.60.202.0	S3
122.60.202.24	S3

FIG. 15

Customer ID	IP Address	Output Port
A45	10.13.0.0	S0 (serial port 0)
A45	128.13.54.0	S1
A45	128.80.65.0	S2
A45	128.13.54.128	E0 (Ethernet)
B230	10.13.0.0	S4
B230	122.56.0.0	S2
B230	122.60.202.0	S3
B230	122.60.202.24	S3

FIG. 16